

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CHRISTINE DONLONE, on Behalf of All Others Similarly Situated,

Plaintiff,

-against-

MERRILL LYNCH & CO., INC., et al,

Defendants.

Index No.: 2007 CV 10661

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK )

COUNTY OF NEW YORK )

ss.:

**DARREN HINDS**, being duly sworn, deposes and says:

1. That I am not a party to this action, am over eighteen years of age and reside in the State of New Jersey;

2. That on December 07, 2007, at approximately 10:28 a.m., I personally served, by hand, by personally delivering to and leaving with, a true and correct copy of the foregoing documents: **SUMMONS IN A CIVIL CASE and CLASS ACTION COMPLAINT FOR VIOLATIONS OF ERISA**, all upon **VIRGIS W. COLBERT, (an individual), c/o Merrill Lynch & Co., Inc.**, by Substituted Service via Ms. Desirae Wells, who identified herself as an "Assistant Vice President" and who accepted service on behalf of Virgis W. Colbert, individually. Ms. Desirae Wells, who is known and known to be someone of suitable age and discretion, who indicated upon inquiry that she nor Virgis W. Colbert are neither in Military Service nor dependant upon anyone within Military Service, which service was effected at their actual place of business indicated below:

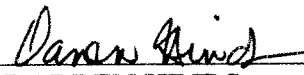
VIRGIS W. COLBERT  
c/o Merrill Lynch & Co. Inc.  
222 Broadway / Lobby  
New York, New York 10038

3. **Ms. Desirae Wells** can best be described as:

African American Female – Light Brown skin – Black hair – Brown eyes - Approximately 22 – 32 years of age, 5'0" – 5'3" and 100 – 125 lbs.

4. On December 11, 2007, I deposited in a United States Post Office within New York State, via Regular First Class Mail, another true copy of the abovementioned documents, properly enclosed and sealed in a post-paid envelope bearing the legend 'Personal and Confidential'. The envelope did not indicate on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action commenced against the person served, and was addressed to VIRGIS W. COLBERT, at the address noted above.

Dated: December 11, 2007  
New York, New York

  
DARREN HINDS  
License No.: 1194970

Sworn to before me on this the 11<sup>th</sup> day of December 2007.

  
NOTARY PUBLIC

**HOLLY ROLDAN**  
Notary Public, State of New York  
No. 01RO6125752  
Qualified in New York County  
Commission Expires April 20, 2009